UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,525	06/28/2001	John D. Barnard	2908.P3	4923

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/892,525	BARNARD ET AL.
	Examiner	Art Unit	
	Karen C. Tang	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>16 October 2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-11,14-39,42-67,70-95,98-113,115,117 and 119</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-11,14-39,42-67,70-95,98-113,115,117 and 119</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

- A request for continued examination under 37 CFR 1.114, including the fee set forth in

    37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

    eligible for continued examination under 37 CFR 1.1 14, and the fee set forth in 37 CFR

    1.17(e) has been timely paid, the finality of the previous Office action has been

    withdrawn pursuant to 37 CFR 1.1 14. Applicant's submission filed on 10/16/07 has been

    entered.

- Claims 1-11, 14-39, 42-67, 70-95, 98-113, 115, 117 and 119 are presented for further

    examination.

Response to Arguments

Applicant's arguments filed 10/16/07 have been fully considered but they are not

persuasive.

Applicant argues that the combination of White, Richter, AAPA and Bellucco does not

disclose the following limitation:

"wherein the system administrator designates a maximum number of printing devices to

be supported using a print queue management user interface, and a print queue is not created for

a printing device once an existing number of print queues has reached the designated maximum

number."

Examiner disagrees.

AAPA teaches wherein the system administrator designates number of printing device to be

supported using a print queue management user interface (entering policy rules that govern how

print queues are created and published, refer to 0006-0009, network administrators also have to install/designate new printing devices, refer to 0006).

White suggest that wherein the system must have maximum number of devices in the system (DHCP server only contains limited IP addresses available for Printers, if not, the DHCP server would not issue any IP address for available printers, refer to 0013 and 0015).

Neither White, Nor Richter discloses wherein the system administrator designates a maximum number of printing devices to be supported.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine White, Richter and AAPA to indicate the system administrator has to designate the maximum number of printing device be supported in the system since the DHCP server in White will only allow limited number of IP address to be assigned to the printer.

Neither White, Richter nor AAPA discloses a print queue is not created for a printing device once an existing number of print queue have reached the designated maximum number.

Bellucco discloses the number of queue is limited by the amount of available memory (RAM) available in the server (refer to Col 6, Lines 55-65), and each queue is associated with associated with one or more printing device (refer to Col 4, Lines 55-61). Therefore, it is obvious that system administrator would not create a print queue for a print device once an existing number of print queues has reached the designated maximum numbers. (amount of RAM/resource available is limited when supporting the number of print devices in the network, and the print queue would not be created since all the current printing devices have allocated all the resources/RAM/IP addresses,).

It would have been obvious to one of ordinary skill in the art at the time of the invention was

made to incorporate Bellucco in order to modify White, because White mention the print queue

is created on print server, and the need to know the maximum number of queue and number of

print server that the print server can support, is important to know that information in order to

manage the amount of work the server can support for print jobs.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-8, 10-11, 14, 19-23. 28-36, 38-39, 42, 47-51, 56-64, 66-67, 70, 75-79, 84-87, 94- 95,

98, 103-107 and 112, 113, 115, 117, and 119 are rejected under 35 U.S.C. 103(a) as being

unpatentable over White et al (EP 952513. White", hereinafter) and Richter et al. (US 6.678.068

"Richter." hereinafter) and in further view of Applicant Submitted Prior Art et al hereinafter

AAPA (Background of the Invention) and Bellucco et al hereinafter Bellucco (US 5,930,465).

2. Regarding claims 1, 28-29, 56-57, 84-85, 112, 113, 115, 117, and 119, White discloses a

method, system and. computer programs record in computer readable mediums (a "system"

hereinafter), for managing a plurality of printing devices connected on a network, comprising

means, steps and instructions for: detecting a printing device connected on the network;

requesting configuration information from the detected printing device; receiving the requested

configuration information from the printing device; creating a print queue for the printing device

based on the received configuration information; accessing user configurable parameters for the

print queue (abstract, Fig.1; 13, indicates that users-configurable parameters in fact is prior art to

White; 18). White is silent on publishing print queue to network. However, publishing print

queue, i.e., displaying, announcing, notifying presenting advertising,

print queue or status of printer, print's queues or print's spool to a client device in a network, was

conventional, which had readily been employed long before the instant invention was made.

White teaches accessing policy rules for the print queues (users are able to config proper

parameters (accessing policy rules)), and publishing the printer queue to the network according

to said policy rules (so that the printer can be utilized for the network due to the configuration)).

White also discloses the policy rules (conf proper parameters, 0002) regulates use of the print

queue by client workstations connected to the network (the configuration parameters allows the

printer to be used on the network). The configuration parameters are entered by the user

(administrators).

Evidently, in the same field of endeavor, Richter, clearly teaches the same (see Richter, figures

24-30, and corresponding details Col. 13, line 25 et seq.) Thus, it would have been obvious to

one of ordinary skill in the art at the time of the invention was made to incorporate a publishing-

print-queue idea or the like with White, autonomous configurable print queue system. Because,

such combination or modification would enable users to obtain status or printers or prints' queue,

and/or locations, availability of printing device from server without having to physically walk to

specific printing locations), thereby increasing user convenience and reducing time unnecessary

time consuming, which in turn would improve efficiency of the operation-unit.

White nor Richter does not expressly indicate entering policy rules that govern how print queues

are created and published, wherein the policy rules are entered by a system administrator.

AAPA expressly indicate that entering policy rules that govern how print queues are created and

published, wherein the policy rules are entered by a system administrator (refer to 0006-0009).

In the same endeavor, White, Richter and AAPA clearly teach the same field. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to incorporate a

system administrator which is the one that changes the policy rules, which provide flexibility to

manage queues in the printing system.

AAPA teaches wherein the system administrator designates number of printing device to be

supported using a print queue management user interface (entering policy rules that govern how

print queues are created and published, refer to 0006-0009, network administrators also have to

install/designate new printing devices, refer to 0006).

White suggest that wherein the system must have maximum number of devices in the system

(DHCP server only contains limited IP addresses available for Printers, if not, the DHCP server

would not issue any IP address for available printers, refer to 0013 and 0015).

Neither White, Nor Richter discloses wherein the system administrator designates a maximum

number of printing devices to be supported.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in

the art to combine White, Richter and AAPA to indicate the system administrator has to

designate the maximum number of printing device be supported in the system since the DHCP

server in White will only allow limited number of IP address to be assigned to the printer.

Neither White, Richter nor AAPA discloses a print queue is not created for a printing device

once an existing number of print queue have reached the designated maximum number.

Bellucco discloses the number of queue is limited by the amount of available memory (RAM)

available in the server (refer to Col 6, Lines 55-65), and each queue is associated with associated

with one or more printing device (refer to Col 4, Lines 55-61). Therefore, it is obvious that

system administrator would not create a print queue for a print device once an existing number of

print queues has reached the designated maximum numbers. (amount of RAM/resource available

is limited when supporting the number of print devices in the network, and the print queue would

not be created since all the current printing devices have allocated all the resources/RAM/IP

addresses,).

It would have been obvious to one of ordinary skill in the art at the time of the invention was

made to incorporate Bellucco in order to modify White, because White mention the print queue

is created on print server, and the need to know the maximum number of queue and number of

print server that the print server can support, is important to know that information in order to

manage the amount of work the server can support for print jobs.

3. Regarding claims 2-8, 10-11, 19-23, 30-36, 38-39, 47-51, 58-64, 66-67, 75-79, 86, 87, 94- 95,

and 103-107, White-Richter discloses the system further includes, detecting an address

assignment message sent between an address server and the printing device over the network

(White-Richter's system also employs DHCP standard, White teaches printer driver, i.e., type

and capability of printer included, is transmitted to printing system, White's 13, 18).

4. Claims 9, 37, 65 and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over White-

Richter as applied to claims 1, 29, 57, 85 above and in further view of Applicant Submitted Prior

Art et al hereinafter AAPA (Background of the Invention) and Clough (US 6,820,124).

5. Regarding claims 9, 37, 65 and 93, White-Richter-AAPA discloses the invention substantially,

as claimed, as described, but it is silent on communication by using SNMP. However, SNMP are

standard for communicating message with a network, specifically it has been utilized in

particular for communicating message between printer and its host, the aforesaid is evidently

taught in Clough. Thus, including a standard that is set forth for specific purpose for functioning

the same would have been obvious to one of ordinary skilled in the art. Because, adopting SNMP

for communication messages, as suggested in Clough, would be a simplistic process of desiring

system and enhancing system's flexibility, in which ordinary artisan would look for, before

reinvent a new way of communication.

6. Claims 14-18. 24-27. 42-46. 52-55. 70-74. 80-83, 88-92, 98-102 and 108-111 are rejected

under 35 U.S.C. 103(a) as being unpatentable over White-Richter, as applied to claims 1, 29, 57

and 85 above and in further view of Applicant Submitted Prior Art et al hereinafter AAPA

(Background of the Invention) and Lee (US 6.628.413).

7. Regarding claims 14-18, 24-27, 52-55, 42-46, 70-74, 80-83, 88-92, 98-102, and 108-111,

White discloses the invention substantially, including configuring IP addresses, print queue

name, print server and its capabilities (White's teaching printer acquire IP address using DHCP

15; Richter teaches GUI, publishing IP address (266) in figure 24, printer or queue name (124) in

figure 25, capabilities (166) in figure 24). White-Richter-AAPA is silent on including MAC

address and printing policy with a configurable parameter. However, MAC address is inherent in

network computing device, thus to include the MAC address as a configuration parameter would

have been obvious to one having ordinary skill in the art at the time of the invention was made

that was a matter of choice, since White-Richter clearly is capable of configuring printing device

using IP address as configurable parameter, thus, using other type of address, such as MAC

address, would be conceivable to an artisan. In addition, in the same field of endeavor, Lee

teaches an inventive concept that uses JAVA programming to create print queue(s) web page(s),

which contains a plurality of links representing each of the print queue(s) entries in the print

queue(s) configurable database. Further, Lee also teaches that the JAVA printer is widely

utilized for publishing printer queue(s) on a web page to enable clients to control printer.

Furthermore, Lee teaches publishing rules and allowing user or administrator to change rules for

controlling printer tasks, maximum job size, what type or image and to whom the print cost

should be allocated, i.e., printing policy (Lee, Fig. 3). Thus associated printer queue with web

page is not new, but rather would have been obvious to one of ordinary skill in the art at the time

of the invention was made to do so, because it would enable users or administrators to remotely

configure or reconfigure or control printers' operation in various applications, including cost

control, as suggested in Lee (Col. 4, line 22- Col. 5, line 55 and Fig. 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

Takahashi (US 2003/0043395) "Information Processing apparatus and method that determines that presence or absence of a printer connected to a network, and storage medium storing program therefor" discloses a host computer makes a query to a selected printer connected to a network concerning a printer language supported by the printer.

Farrow et al (WO 00/26807) "Active Server Management" discloses a method and apparatus for managing IP addressing in a network and effectively synchronizing communication between a central database and one or more servers.

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of

the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the

claimed invention, Applicant is respectfully requested to indicate the portion(s) of the

specification which dictate(s) the structure relied on for proper interpretation and also to verify

and ascertain the metes and bounds of the claimed invention.

A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The

examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang

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